**HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE**
**AND**
**HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY**

**WRIT PETITION No.3304 OF 2007**

**Between:**

A. Venkataramana Reddy

…Petitioner

AND

The State of Andhra Pradesh,
Rep., by its Secretary, Revenue,
Govt. of Andhra Pradesh,
Secretariat, Hyderabad and five others

...Respondents

**: O R D E R :**

Counsel for the petitioner : Shri R. Ravi Kumar

**22nd February, 2007**

**Per G.S.SINGHVI, CJ**

The petitioner, who has styled himself as a social activist, has filed this petition in the name of public interest for grant of declaration that action of the respondents in granting
Ac.1.87 cents land comprised in Survey No.748/1 and 2 as against the original allotment of Ac.3-70 cents in Survey No.750 of Gajulamandyam Village to Zilla Parishad High School, Gajulamandyam, Renigunta Mandal, Chittoor District (hereinafter referred to as 'the school') is contrary to law, arbitrary and against the principles of natural justice. He has also prayed for issue of a mandamus to the respondents to allot and alienate Acs.8-00 of land in Survey No. 750 in favour of the school.

We have heard Shri R. Ravi Kumar, learned counsel for the petitioner and carefully scrutinised the pleadings and documents forming part of the writ petition and are convinced that in the name of public interest litigation, the petitioner is espousing his personal cause and the writ petition appears to be a part of the design to force the public authorities to allot land to him for establishing private educational institutions.

In the affidavit filed by him, the petitioner has described himself as President of Zilla Parishad High School Committee, Gajulamandyam Village, Renigunta Mandal, but has not disclosed as to who elected him to the office of President and when was he elected. He has neither pleaded nor anydocuemnt has been produced to show that the committee headed by him is a registered society or any body incorporated or registered under any law. It also not borne out from the record that any public authority has recognised him as President, Zilla Parishad High School Committee. Therefore, it is reasonable to take the view that the petitioner's description, as

given in paragraph 2 of the affidavit filed by him is misleading. Some of the documents annexed with the writ petition do given an impression that the officials/officers in the lower strata of the administration have, without any explicable reason, tried to support the cause of the petitioner by making recommendations for allotment of land to him, but in our considered view such recommendations cannot be made basis for issue of a mandamus.

Sri R. Ravi Kumar could not show that the petitioner has any constitutional or legal right to be allotted public land to the exclusion of all other persons who may be willing or desirous of establishing educational institutions in the area. Therefore, He keeping in view the settled law that public property can be disposed of only by way of auction or by draw of lots so as to enable all similarly situated persons to participate in the exercise undertaken by the public authority for distribution of public property, it is not possible to entertain the petitioner's prayer.

For the reasons stated above, the writ petition is dismissed.

**G.S. SINGHVI, C.J.**

**C.V. NAGARJUNA REDDY, J.**

22nd February, 2007
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